

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	Case No. 2:19-CR-81 JCM (DJA)
Plaintiff(s),	ORDER
v.	
OSCAR OWALDO BUSTOS-GONZALEZ,	
Defendant(s).	

Presently before the court are defendant Oscar Bustos-Gonzalez's motions for remedy and compassionate release. (ECF Nos. 46, 47, 48). The government responded, (ECF No. 49), to which defendant filed no reply.

On October 26, 2020, this court examined and denied defendant's first motion for compassionate release:

This court finds that defendant's petition fails to present conditions that place defendant at a heightened risk of severe adverse reactions from COVID-19. Defendant is a 25 year old man with no health conditions that put him at an undue risk. He has merely contracted COVID-19 before and alleges that his facility is woefully inadequate in handling the pandemic.
(ECF No. 44).

Yet, defendant moves again for compassionate release without new justification. (ECF No. 46). He also moves for remedy, because "the court terminated [his earlier motion for compassionate relief], instructing petitioner to refile." (ECF No. 45). This court is not aware of any such activity on the first motion for compassionate relief. The motion was briefed and denied. (ECF No. 44).

These motions do not reflect the state of the docket, and thus appear to be made in error. However, this court has already determined that defendant is not suited for compassionate relief, and the instant motions present no reason for this court to depart from its prior decision.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's motion for remedy (ECF No. 46) be, and the same hereby is, DENIED.

IT IS FURTHER ORDERED that defendant's motion for compassionate release (ECF No. 47) be, and the same hereby is, DENIED.

DATED February 17, 2021.

James C. Mahan
UNITED STATES DISTRICT JUDGE